

When recorded mail to:

City Clerk's Office  
City of Riverside  
3900 Main Street  
Riverside, CA 92522

RECORDED MAY 22 1984

INSTRUMENT NO. 108773

OFFICIAL RECORDS, RIV. CO.

FREE RECORDING

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee. (Government Code 6103)

FOR RECORDER'S OFFICE USE ONLY

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to MARVIN M. SANDO, a married man as his sole and separate property, as to an undivided 1/2 interest, and SAMUEL G. WILTCHIK, an unmarried man as to an undivided 1/2 interest,

their heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property:

A. DESCRIPTION OF ENCROACHMENT AREA

That portion of Magnolia Avenue, a public right of way, being more particularly described as follows:

All that portion of Lots 1 thru 5, inclusive, of Magnolia Acres, as shown by map on file in Book 18, Page 11 of Maps, records of said Riverside County, lying 42.00 feet south-easterly of the line which is parallel with and distant 108.00 feet northwesterly as measured at right angle from the center-line of Magnolia Avenue.

B. DESCRIPTION OF PERMITTEE'S ADJACENT AND APPURTENANT PARCEL

Lots 1 thru 5 inclusive of said Magnolia Acres.

EXCEPTING therefrom that portion lying 42.00 feet southeasterly of said parallel line,

DECLARATION APPROVAL  
4/12/84 8:11 5/2/84  
for Curator

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: To construct and maintain a private parking lot encroaching into said public right of way a maximum of 42.00 feet as shown by Exhibit "A" attached and made a part hereof by this reference.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: May 22, 1984

CITY OF RIVERSIDE, a municipal corporation

By [Signature] Mayor

Attest [Signature] City Clerk

The foregoing is accepted by:

[Signature]  
(Signature(s) of Permittee)  
MARVIN M. SANDO  
[Signature]  
SAMUEL G. WILTCHIK

APPROVED AS TO CONTENT

[Signature]  
Department Head

APPROVED AS TO FORM

[Signature]  
Legal Department

CITY MANAGER APPROVAL

[Signature]  
City Manager